

REMARKS

The Official Action of 15 June 2005 has been carefully considered and reconsideration of the application as amended is respectfully requested.

Claim 4 has been amended more clearly to distinguish over the prior art by incorporating recitations formerly in claim 14 pertaining to the presence of a “1,2-alkylene glycol having from 4 to 10 carbon atoms” and recitations formerly in claim 18 pertaining to the colorant being “a water-soluble pigment that is made water-dispersible”. The functional recitation in claim 4 pertaining to the amount of the 1,2 alkylene glycol, and the recitations inserted into claim 14 draw support from the specification as filed at, for example, page 17, second paragraph, and page 2, first full paragraph.

Claim 4 has also been amended to remove the bases for the rejection under 35 USC 112, first paragraph, appearing at paragraph 3 of the Official Action and the rejection under 35 USC 112, second paragraph, appearing at paragraph 4 of the Official Action. The content ranges of glycol species are now individually recited in the claim in accordance with support provided in the specification as filed and in original claim 13. The lower limits of these claimed compounds draw support from the specification as filed at Examples 7 to 14. With particular respect to dipropylene glycol monobutyl ether, the lower limit (3%) is supported by Example 8. The lower limit of propylene glycol monobutyl ether (3.5%) is supported by Example 9. All claims as amended are respectfully believed to draw 35 USC 112, first paragraph, support from the specification as filed and are respectfully believed to be sufficiently definite to satisfy

the dictates of 35 USC 112, second paragraph.

The claims as amended stand rejected under 35 USC 102(e) as allegedly being anticipated by Taniguchi. Applicant respectfully notes that the claims as amended require that the coloring material be a “water-soluble pigment that is made water-dispersible”. In contrast, Taniguchi is basically directed to a dye ink and does not show an ink with the colorant as now claimed. Accordingly, the cited reference cannot be considered to anticipate the invention as now claimed under the provisions of 35 USC 102(e).

Moreover, Taniguchi cannot be cited against the present claims under the provisions of 35 USC 103 via 35 USC 102(e), because Taniguchi is disqualified as prior art due to common ownership under the provisions of 35 USC 103(c). In this respect, the undersigned hereby states on behalf of Applicant:

The present application and the reference, Taniguchi US Patent 6,432,186, were, at the time the present invention was made, owned by, or subject to an obligation of assignment to, the same entity, namely Seiko Epson Corporation.

The claims also stand rejected under 35 USC 103(a) as allegedly being unpatentable over Yui et al in view of Yatake. Applicant respectfully traverses this rejection.

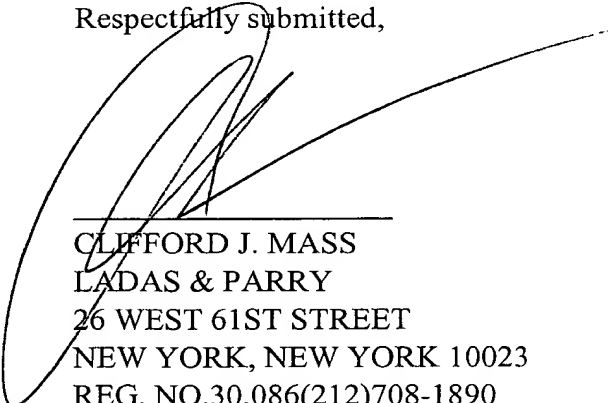
Even assuming for the sake of argument that the cited Yui et al and Yatake references

were properly combinable, it is respectfully submitted that the combination would not show or suggest all of the limitations of the invention as now claimed. In this respect, Applicant respectfully notes that the claimed ink comprises a "1,2-alkylene glycol having from 4 to 10 carbon atoms". As discussed in the specification as filed at, for example, page 17, second paragraph, the presence of this component in the claimed ink can reduce blur in printing. This component is not taught or suggested by the cited references.

Since the cited references do not teach all of the claim limitations, they cannot set forth even a *prima facie* case of obviousness for this reason alone (see MPEP Section 706.02(j)). Accordingly, it is respectfully requested that this rejection be withdrawn.

In view of the above, it is respectfully submitted that all rejections and objections of record have been overcome and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



CLIFFORD J. MASS
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890